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OFFICE OF PETITIONS

In re Application of :
Rong-Ji Liu : DECISION ON PETITION TO
Application No. 09/924,883 : WITHDRAW HOLDING OF
Filed: 8 August, 2001 : ABANDONMENT
Attorney Docket No. 112.P14006 :

This is a decision on the petition filed on 11 July, 2006, to withdraw the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

The application was held abandoned for failure to timely respond to the Notice of Allowance and Fee(s) Due mailed on 4 October, 2005, which set a three (3) month statutory period for reply. Notice of Abandonment was mailed on 24 February, 2006.

Petitioner asserts that the Notice mailed on 4 October, 2005, was not received. Petitioner further asserts that the Notice was not received because it was not mailed to petitioner's current correspondence address. Specifically, a Revocation and Power of Attorney and Change of Correspondence Address was filed on 26 July, 2005, but the Notice mailed on 4 October, 2005, was not sent to the new correspondence address.

A review of the official file reveals that the Revocation and Power of Attorney and Change of Correspondence address was filed on 26 July, 2005, but was not entered until 13 June, 2006. Additionally, the Notice mailed on 4 October, 2005, was not mailed to the new correspondence address. As such, the Notice was not mailed to the proper address as a result of Office error.

Additionally, petitioner has submitted a copy of the docket record where the non-received Office action would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. See "Withdrawing the Holding of Abandonment When Office Actions Are Not Received" 1156 Official Gazette 53 (November 16, 1993) and M.P.E.P. § 711.03(c).

As such, there was an irregularity in the mailing of the Notice mailed on 4 October, 2005.

The Office apologizes for any inconvenience to petitioner.

Accordingly, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The application file is being referred to Technology Center 2600 technical support staff for remailing of the Notice mailed on 4 October, 2005. The period for reply will be reset from the mailing date thereof.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions